



## AN OPEN LETTER TO THE PUBLIC ON THE ESTABROOK DAM

### ***The Case for Removal:***

The Wisconsin Department of Natural Resources and the Milwaukee County Circuit Court have declared the Estabrook Dam a public nuisance. Milwaukee County, as the owner and operator of the Dam, is required to abate the nuisance conditions created by the Dam. Although the Dam is located in the City of Milwaukee, its impact on our waterways, natural areas, and wildlife spans the City of Milwaukee, the Village of Shorewood, the City of Glendale, and beyond.

Right now it will cost **at least** \$4.1 million to repair the Dam, which is \$600,000 more than the County has available in the budget for this project. That number doesn't include ongoing maintenance costs for operation of the Dam (approximately \$200,000 annually). In contrast, removal would be a one-time cost of \$1.7 million, most of which could be covered by grants. This cost is exclusive of any sediment remediation costs, which are currently unknown.

In addition to being the better financial option, removing the Dam would restore the river to a more natural-looking and free-flowing condition, and also eliminate an eyesore that invites constant graffiti, litter, and unsafe conditions. As seen around the country, and locally after the removal of the North Ave dam, free-flowing rivers are healthier and improve the quality of the ecosystem centered around them.

As well, both the County's Office of Emergency Management and the City of Glendale's Certified Flood Manager have recommended removal of the Dam as in the best interest of public safety. Should the Dam fail, it could cause significant harm to property upriver and create unsafe conditions that put people at risk.

Removal of the Estabrook Dam would reduce the risk of floods on the Milwaukee River upstream from the Dam and help achieve the goal of better managing our waterways.

Removal of the Dam is one of the rare and pleasant situations where the most cost effective solution also happens to be the most environmentally friendly.

With the savings we would realize by removing the Dam instead of repairing it, we can invest more into our communities and parts of the City that need it – not into a manmade lake that benefits a few dozen property owners.

Dam removal has received wide support across the County.

### ***The Solution:***

Because of this broad consensus in support of removing the Dam, along with a wealth of scientific research that supports the environmental benefits of Dam removal, in 2014, 2015, and again this July, the county executive has requested that the County Board take action to change the County's policy from costly Dam repair to Dam removal.

We believe strongly in local control and the ability of elected bodies to make informed decisions based on facts and to take votes that represent the wishes of their constituents. Unfortunately, the County Board has not had a chance to come to a transparent vote for several years, since the high costs of repairing the Dam have become clearer.

Our preference would be that the Board take a vote to change the County's policy on the dam so that it can be removed as soon as possible. Timely Board action on the dam's removal would allow for the reallocation of vital capital funding to go to other priority areas in the County Parks system.

Absent a timely and affirmative Board vote, however, another solution is necessary to ensure that both environmental concerns and millions in taxpayer resources are protected, and that flood risk along the Milwaukee River corridor is mitigated. That proposal includes the following steps:

- Rezoning – The land that surrounds the Dam will be rezoned by the City of Milwaukee, which will change the oversight of the Dam to a three-member panel, including the County Executive, the County Comptroller and a representative of the City of Milwaukee. This panel has authority to sell public works properties through a majority vote.
- Selling the Dam – Once the Dam is rezoned by the City of Milwaukee, it will be sold to MMSD. The MOU between Milwaukee County (the seller) and MMSD (the buyer) will include the following provisions:
  - The Dam will be sold for \$1;
  - The Dam is sold under the condition that it will be removed by MMSD;
  - The County will continue to operate and maintain the dam and the surrounding park land;
  - The County will continue to provide park programming for Estabrook Park;
  - Parkland will remain in public custody and returned to the County following removal.
- Removal of the Dam – MMSD will be responsible for removing the Dam once it obtains the necessary DNR permits. MMSD has experience and expertise in taking on large scale projects. MMSD will seek grant funds to pay for removal but initially will allocate funds that would have been otherwise allocated for a different County project. Following the removal of the dam, all parkland will be rezoned "parkland" and returned to the County.

The City of Milwaukee, Milwaukee County and MMSD are partnering on this important project to ensure the protection of public land and County taxpayer resources. This partnership will ensure that there is public oversight of the project and that no public land is affected.